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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/533,669

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Yoshiyuki Okimoto

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WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

EXAMINER

SAINT CYR, LEONARD

ART UNIT

PAPER NUMBER

2626

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,669	<b>Applicant(s)</b> OKIMOTO, YOSHIYUKI	
	<b>Examiner</b> LEONARD SAINT CYR	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/14/05, and 07/14/05</u> .                                  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 24 - 29 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent<sup>1</sup> and recent Federal Circuit decisions<sup>2</sup> indicate that a statutory “process” under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claim(s) recite a series of steps or acts to be performed, the claim(s) neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. Claims 24 - 29 do not identify the apparatus that accomplishes the method steps like “inputting speech via a microphone” described in page 27, lines 7 – 11 of the specification. Thus claims 24 - 29 do not define a statutory process.

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<sup>1</sup> *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

<sup>2</sup> *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 15, 24, 25, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Lekutai (US PAP 2005/0240391).

As per claims 1, 24, and 28, Lekutai teaches a speech recognition dictionary creation device that creates a speech recognition dictionary, said device comprising (paragraph 35):

an abbreviated word generation unit operable to generate an abbreviated word of a recognition object that is made up of one or more constituent words based on a rule that takes into account ease of pronunciation (“enhance readability”; paragraphs 29, and 33, lines 1 - 6); and

a vocabulary storage unit operable to hold, as the speech recognition dictionary, the generated abbreviated word together with the recognition object (“a memory configured to store an abbreviation library”; paragraph 5).

As per claims 2, and 25, Lekutai further discloses a word division unit operable to divide the recognition object into the constituent words; and a mora string generation unit operable to generate mora strings of the respective constituent words based on readings of the respective divided constituent words, wherein said abbreviated word generation unit is operable to generate the abbreviated word made up of one or more moras by extracting one or more moras from the mora strings of the respective constituent words and concatenating the extracted moras based on the mora strings of the respective constituent words generated by said mora string generation unit (see the abbreviation process example; paragraph 39, lines 1 – 6; Abstract).

As per claim 15, Lekutai further discloses an extraction condition storage unit operable to hold a condition for extracting the recognition object from character string information that includes the recognition object (“speech recognition ...before or after transmission”; paragraph 31);

a character string information obtainment unit operable to obtain the character string information that includes the recognition object; and a recognition object extraction unit operable to extract the recognition object from the character string information obtained by said character string information obtainment unit according to the condition held by said extraction condition storage unit, and to send to the extracted recognition object to said word division unit (“voice messages can be similarly processed... speech recognition ...before or after transmission”; paragraphs 28, and 31, lines 1 – 6).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 – 14, 16 - 23, 26, 27, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lekutai (US PAP 2005/0240391) in view of Hiroyuri et al., (JP 2002-041081).

As per claim 3, Lekutai further discloses that said abbreviated word generation unit includes: an abbreviated word generation rule storage unit operable to hold a generation rule for generating an abbreviated word using moras; and an abbreviated word determination unit operable to determine an abbreviated word for final generation, by applying the generation rule held by said abbreviated word generation rule storage unit (“a memory configured to store an abbreviation library.. rule library”; paragraph 5).

However, Lekutai does not specifically teach a candidate generation unit operable to generate candidate abbreviated words, each being made up of one or more moras, by extracting one or more moras from the mora strings of the respective constituent words and concatenating the extracted moras.

Hiroyuri et al., teach a reading grant means to give reading to each composition word divided, and to output all the **reading candidates**. Analysis

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likelihood of an analytical candidate in whom each generated utterance unit exits, the above-mentioned reading likelihood of an **analytical candidate** in whom each above-mentioned utterance unit exits, and each above mentioned utterance unit, the **number of Maura** of each above-mentioned utterance unit (paragraph 13, lines 1- 7, paragraph 15).

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made generate abbreviated words based on different candidates as taught by Hiroyuri et al., in Lekutai, because that would help correctly recognize partial character strings uttered by users (paragraph 14).

As per claim 4, Lekutai in view of Hiroyuri et al., further disclose wherein said abbreviated word generation rule storage unit is operable to hold a plurality of generation rules (Lekutai; paragraph 5);

said abbreviated word determination unit is operable to calculate a likelihood under each of the generation rules stored in said abbreviated word generation rule storage unit and to determine an utterance probability by comprehensively taking into account the calculated likelihoods, the utterance probability being determined for each of the generated candidate abbreviated words, and said vocabulary storage unit is operable to hold the abbreviated word and the utterance probability that are determined by said abbreviated word determination unit (Hiroyuri et al., "likelihood showing a probability"; paragraph 15).

As per claim 5, Lekutai in view of Hiroyuri et al., further disclose that said abbreviated word determination unit is operable to determine the utterance probability by summing up values that are obtained by multiplying the likelihoods for the respective generation rules by corresponding weighting factors (see equation 6; Hiroyuri et al., paragraph 91).

As per claim 6, Lekutai in view of Hiroyuri et al., further disclose that said abbreviated word determination unit is operable to determine that a candidate abbreviated word is the abbreviated word for final generation in the case where the utterance probability of the candidate abbreviated word exceeds a predetermined threshold ("predetermined value"; Hiroyuri et al., paragraph 100).

As per claim 7, Lekutai in view of Hiroyuri et al., further disclose said abbreviated word generation rule storage unit is 10 operable to hold a first rule concerning dependency relationship between words, and said abbreviated word determination unit is operable to determine, based on the first rule, the abbreviated word for final generation from among the candidates ("vocabulary which presents the score beyond a higher rank predetermined value"; Hiroyuri et al., paragraph 100).

As per claim 8, Lekutai in view of Hiroyuri et al., further disclose the first rule includes a condition that an abbreviated word should be generated using a modifier and a modified word as a pair ("message text is abbreviated based on

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an abbreviation library”; Lekutai; paragraph 10).

As per claim 9, Lekutai in view of Hiroyuri et al., further disclose the first rule includes a rule indicating a relationship between the likelihood and a distance between a modifier and a modified word that make up an abbreviated word (“analysis of likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraph 58).

As per claim 10, Lekutai in view of Hiroyuri et al., further suggest said abbreviated word generation rule storage unit is operable to hold a second rule that is related to at least one of a length of a partial mora string and a position of the partial mora string, the length being a length of the partial mora string that is extracted from a mora string of the constituent word when an abbreviated word is generated, and the position being a position of the partial mora string in the constituent word, and said abbreviated word determination unit is operable to determine, based on the second rule, the abbreviated word for final generation from among the candidates (“text length is shortened based on stored rules; Lekutai; Abstract).

As per claim 11, Lekutai in view of Hiroyuri et al., further suggest said second rule includes a rule indicating a relationship between the likelihood and a number of moras indicating the length of the partial mora string (“analysis of

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likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraph 58).

As per claim 12, Lekutai in view of Hiroyuri et al., further suggest that said second rule includes a rule indicating a relationship between the likelihood and a number of moras indicating a distance from a top of the constituent word to the partial mora string, the distance indicating the position of the partial mora string in the constituent word (“analysis of likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraphs 58, and 15).

As per claim 13, Lekutai in view of Hiroyuri et al., further suggest that said abbreviated word generation rule storage unit is operable to hold a third rule related to concatenated partial mora strings that make up an abbreviated word, and said abbreviated word determination unit is operable to determine, based on the third rule, the abbreviated word for final generation from among the candidates (“text length is shortened based on stored rules; Lekutai; Abstract).

As per claim 14, Lekutai in view of Hiroyuri et al., further suggest wherein the third rule includes a rule indicating a relationship between the likelihood and a combination of a last mora and a top mora, the last mora being included in a former of the concatenated two partial mora strings and the top mora being included in a latter of the concatenated two partial mora strings (“analysis of

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likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraphs 58, and 15).

As per claims 16, 23, 26, 27, and 29, Lekutai further discloses recognizing an input speech by comparing the input speech with a model corresponding to a vocabulary registered in a speech recognition dictionary, said device comprising a recognition unit operable to recognize the speech using the speech recognition dictionary created by the speech recognition dictionary creation device.

Hiroyuri et al., teach the frequency of reading to each recognition sentence candidate likelihood which generates a recognition sentence candidate and is calculated from a language model using the extracted feature parameter. And the recognition result has been obtained based on this language likelihood (paragraph 3, last five lines).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use language model in speech recognition system as taught by Hiroyuri et al., in Lekutai, because that would help calculate the likelihood of acoustic model for every phonemes (paragraph 99, lines 1 – 5).

As per claim 17, Lekutai in view of Hiroyuri et al., further suggest that the abbreviated word and the utterance probability of the abbreviated word are registered into the speech recognition dictionary together with the recognition object, and said recognition unit is operable to recognize the speech by taking into account the utterance probability registered in the speech recognition

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dictionary (“analysis of likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraph 58).

As per claim 18, Lekutai in view of Hiroyuri et al., further suggest that said recognition unit is operable (i) to generate a candidate for a recognition result of the speech and a likelihood of the candidate, (ii) to add a likelihood corresponding to the utterance probability to the generated likelihood, and (iii) to output the candidate as a final recognition result based on the resulting addition value (“vocabulary which presents the score beyond a higher rank predetermined value”; Hiroyuri et al., paragraphs 99, and 100).

As per claim 19, Lekutai in view of Hiroyuri et al., further suggest an abbreviated word use history storage unit operable to hold (“word frequency of occurrence”), as use history information, an abbreviated word recognized for the speech and a recognition object corresponding to the abbreviated word; and an abbreviated word generation control unit operable to control generation of an abbreviated word by the abbreviated word generation unit based on the use history information held by said abbreviated word use history storage unit (“number of Maura”; Hiroyuri et al., paragraph 16, lines 1 – 8).

As per claim 20, Lekutai in view of Hiroyuri et al., further suggest the abbreviated word generation unit of the speech recognition dictionary creation device includes: an abbreviated word generation rule storage unit operable to

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hold a generation rule for generating an abbreviated word using moras (“number of Maura”); a candidate generation unit operable to generate candidate abbreviated words, each being made up of one or more moras, by extracting one or more moras from the mora strings of the respective constituent words and concatenating the extracted moras (“analysis of likelihood which expresses the degree of a probability to all the division candidates”; Hiroyuri et al., paragraph 58; paragraph 16, lines 1 – 8); and

an abbreviated word determination unit operable to determine an abbreviated word for final generation, by applying the generation rule held by said abbreviated word generation rule storage unit to the generated candidate abbreviated word, and said abbreviated word generation control unit is operable to control the generation of the abbreviated word by making one of change, deletion, and addition to the generation rule held by the abbreviated word generation rule storage unit (Lekutai; see the abbreviated example”; paragraph 29, lines 1 – 6).

As per claim 21, Lekutai in view of Hiroyuri et al., further suggest an abbreviated word use history storage unit operable to hold, as use history information (“word frequency of occurrence”), an abbreviated word recognized for the speech and a recognition object corresponding to the abbreviated word; and a dictionary revision unit operable to revise the abbreviated word stored in the speech recognition dictionary based on the use history information held by said

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abbreviated word use history storage unit ("number of Maura"; Hiroyuri et al., paragraph 16, lines 1 – 8).

As per claim 22, Lekutai in view of Hiroyuri et al., further suggest that the abbreviated word and the utterance probability of the abbreviated word are registered into the speech recognition dictionary together with the recognition object, and said dictionary update unit is operable to revise the abbreviated word by changing the utterance probability of the abbreviated word ("changing condition of the utterance probability"; Hiroyuri et al., paragraph 124).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see PTO-form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS

01/15/09

/Richemond Dorvil/  
Supervisory Patent Examiner, Art Unit 2626